



CRL OP(MD). No.11209 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 16/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.11209 of 2026

Vairamuthu

... Petitioner/ Accused No.2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.
Crime No.196/2026.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.196/2026 on the file of the
Respondent Police.

For Petitioner : Ramachandhran S R A,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Counsel For State of TN (Crl.Side)

ORDER : The Court made the following order :-



CRL OP(MD). No.11209 of 2026

The petitioner, who apprehends arrest at the hands of the respondent for the offence punishable under Section 24(1) of COTPA Act, 2003 (Cigarette and other Tobacco Products Act, 2003), and 123 of BNS, 2023, in Crime No.196 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on secret information, the respondent police went to the place of occurrence and found that the accused were in illegal possession of 1300 kg of banned tobacco products. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case and he has no way connected in the above said incident. He would further submit that the entire contraband was recovered from A1 and A1 was already arrested and released on bail. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Counsel For State of TN (Crl.Side) would submit that the accused were in illegal possession of 1300 kg of banned tobacco



CRL OP(MD). No.11209 of 2026

products and the investigation is still pending. Hence, he opposes to grant anticipatory bail to the petitioner. He would further submit that the co-accused was arrested and released on bail and the petitioner has 1 previous case similar in nature.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, and the quantity of tobacco product involved in this case and based on the confession statement made by the co-accused, the petitioner herein was arrayed as an accused and the entire contraband was recovered from the co-accused and the co-accused was already arrested and released on bail and though the petitioner has 1 previous case, in that case, he was released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the



WEB COPY



CRL OP(MD). No.11209 of 2026

order copy made ready, before the **Judicial Magistrate Court, Tenkasi, Tenkasi District**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and on further conditions that:

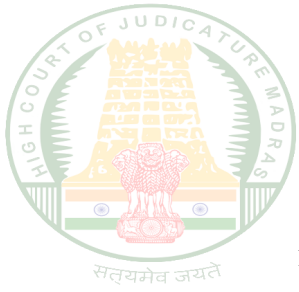
[b] the petitioner shall report before the respondent police, daily at 10.30 a.m. for a period of 30 days, and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner



CRL OP(MD). No.11209 of 2026

WEB COPY

released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

16.06.2026

dss

To

- 1.The Judicial Magistrate Court, Tenkasi, Tenkasi District.
- 2.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.11209 of 2026

P. DHANABAL,J

dss

ORDER
IN
CRL OP(MD) No.11209 of 2026

Date : 16/06/2026